City of Columbus

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Legislation Details (With Text)

File #:	0809-2019 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	3/13/2019	**In control:**	Zoning Committee
On agenda:	4/1/2019	**Final action:**	4/3/2019
Title:	To grant a Variance from the provisions of Sections 3332.02, R, rural district; 3312.43, Required surface for parking; and 3363.41(A), Storage, of the Columbus City codes; for the property located at 1431 COMMUNITY PARK DRIVE (43229), to permit contractor's storage yard and parking lot with reduced development standards in the R, Rural District (Council Variance #CV18-108).		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. ORD0809-2019_Attachments, 2. ORD0809-2019_Labels		

Date	Ver.	Action By	Action	Result
4/3/2019	1	CITY CLERK	Attest	
4/2/2019	1	MAYOR	Signed	
4/1/2019	1	COUNCIL PRESIDENT	Signed	
4/1/2019	1	Zoning Committee	Approved	Pass
3/25/2019	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV18-108

APPLICANT: Blue Ring Holdings, LLC; c/o William Westbrook, Agent; 2722 Nottingham Road; Columbus, OH 43221.

PROPOSED USE: Contractor's storage yard and parking.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel zoned in the R, Rural District which was developed with a contractor's storage yard and parking lot without obtaining permits or a Certificate of Zoning Clearance. The use is associated with a landscaping and construction business located directly east of the site in Sharon Township. The property is subject to a zoning code violation and the requested Council variance will enable the applicant to apply for the necessary approvals to legitimize the site development. Variances for required surface and outdoor storage setbacks from residential districts are included in the request. The site is within the boundaries of the *Northland I Area Plan* (2014), which recommends "Neighborhood Commercial" land uses at this location. Staff is supportive of the use given the removal of the existing curb-cut to Community Park Drive, adherence to screening of open storage areas, submission of a site plan, and conditions that no dwelling unit will be permitted while the site is used for a contractor's storage yard and parking lot, and that a rezoning application to an appropriate zoning district will be required should the adjacent parcel to the east containing the landscaping and construction business be annexed into the City of Columbus.

To grant a Variance from the provisions of Sections 3332.02, R, rural district; 3312.43, Required surface for parking; and 3363.41(A), Storage, of the Columbus City codes; for the property located at **1431 COMMUNITY PARK DRIVE**

(43229), to permit contractor's storage yard and parking lot with reduced development standards in the R, Rural District (Council Variance #CV18-108).

WHEREAS, by application #CV18-108, the owner of the property at **1431 COMMUNITY PARK DRIVE (43229),** is requesting a Council variance to permit contractor's storage yard and parking lot with reduced development standards in the R, Rural District; and

WHEREAS, Section 3332.02, R, rural district, does not permit commercial or manufacturing uses, while the applicant proposes a contractor's storage yard and parking lot for a business on an adjacent parcel addressed as 1425 Community Park Drive in Sharon Township; and

WHEREAS, Section 3312.43, Surface, requires the surface of any parking area to be an approved hard surface other than gravel or loose fill, while the applicant proposes to maintain gravel surface for driveways, aisles, circulation areas and parking spaces on the site; and

WHEREAS, Section 3363.41, Storage, requires the open storage of materials be located at least 100 feet from any residential district, and 20 feet from other lot lines, while the applicant proposes a setback from residential districts of 10 feet; and 0 feet from an interior lot line, as shown on the site plan; and

WHEREAS, City Departments recommend approval of the requested Council variance because of the removal of an existing curb-cut to Community Park Drive, adherence to screening of open storage areas, submission of a site plan, and conditions that no dwelling unit will be permitted while the site is used for a contractor's storage yard and parking lot, and that a rezoning application to an appropriate zoning district will be required should the adjacent parcel to the east containing the landscaping and construction business be annexed into the City of Columbus; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **1431 COMMUNITY PARK DRIVE (43229),** in using said property as desired and; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3332.02, R, rural district; 3312.43, Required surface for parking; and 3363.41(A), Storage, of the Columbus City codes, is hereby granted for the property located at **1431 COMMUNITY PARK DRIVE (43229),** insofar as said sections prohibit a contractor's storage yard and parking lot in the R, Rural District; with gravel surface for driveway aisles, circulation areas, and parking spaces; and a reduced open storage setback from any residential districts from 100 feet to 10 feet and from an interior lot line from 20 feet to 0 feet; said property being more particularly described as follows:

1431 COMMUNITY PARK DRIVE (43229), being 0.48 ± acres located on the south side of Community Park Drive, 420± feet west of Cleveland Avenue and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio, to wit:
Situated in the Township of Sharon and being the west one-half of Lot Number Seventy-Five (75) of

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North Home Acre Park Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 18, Page 20, Franklin County Recorder's Office, Franklin County, Ohio.

Property Address: 1431 Community Park Drive; Columbus, OH 43229
Parcel Number: 600-203933

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as contractor's storage yard and parking lot, or those uses permitted in the R, Rural District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plans titled **"SITE PLAN," "PARCEL DETAIL-NORTH,"** and **"PARCEL DETAIL-SOUTH,"** all dated February 6, 2019, and signed by William Westbrook, Agent for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Zoning Clearance for the proposed use.

SECTION 5. That this ordinance is further conditioned on the applicant or owner filing an application to rezone this property to an appropriate zoning district should the parcel directly to the east, known as 1425 Community Park Drive, be annexed into the City of Columbus.

SECTION 6. That this ordinance is further condition upon the following: No dwelling unit shall be permitted on the site so long as the site is used for a contractor's storage yard and parking lot.

SECTION 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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